

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

CARLOS A. GARCIA PEREZ, et al	*	
Plaintiff	*	CIVIL NO. 97-1703 (JGG)
v.	*	
ALVARO SANTAELLA, et al	*	
Defendants-Third Party Plaintiffs	*	
v.	*	
DR MARIA T CASADO GARCIA, et al	*	
Third Party Defendants	*	

**MOTION SUBMITTING EXHIBITS OF STATEMENT OF
UNCONTESTED MATERIAL FACTS IN THE CLERK'S
OFFICE**

TO THE HONORABLE COURT:

COMES NOW Dr. Iván Terón Méndez, through his undersigned attorneys, and respectfully states and prays:

1. Defendant herein Dr. Ivan Terón Méndez has electronically filed with the Clerk of the Court using the CM/ECF system a Motion for Summary Judgment, a Memorandum in Support of Motion for Summary Judgment and a Statement of Uncontested Material Facts.

2. Specifically, the Statement of Uncontested Material Facts upon which Dr. Ivan Terón Méndez's Motion for Summary Judgment is based, includes three Exhibits, to wit: Dr. Kenneth Harkavy's expert report dated August 9, 1999,

(*Exhibit 1*); a transcript of Dr. Kenneth Harkavy's testimony in his depositions, (*Exhibit 2*)¹; and the expert report dated December 9, 2000 of Dr. Frederic B. Garner, expert retained by Dr. Terón, (*Exhibit 3*).

3. Dr. Kenneth Harkavy's report contains 4 pages; the transcript of Dr. Kenneth Harkavy's testimony in his depositions contain 446 pages; and Dr. Frederic B. Garner's report contains 4 pages. The three exhibits contain a total of 454 pages.

4. Dr. Ivan Terón Méndez has sent copies of the exhibits in support of the Statement of Uncontested Material Facts to all attorneys of record by regular mail. Furthermore, all attorneys of record have been previously produced with copies of the above mentioned exhibits, which have been part of the discovery process in this case.

5. In consideration of the extensive number of pages contained in the above mentioned exhibits, specially in the transcripts of Dr. Kenneth Harkavy's testimony in his depositions which contain 446 pages, Dr. Ivan Terón Méndez herein prays from this Honorable Court that it allow the filing with the Clerk of the Court of the exhibits of the Statement of Uncontested Material Facts.

WHEREFORE, Dr. Ivan Terón herein prays from this Honorable Court that it allow the filing with the Clerk of the Court of the exhibits of the Statement of Uncontested Material Facts.

CERTIFICATE OF SERVICE: I hereby certify that I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to attorneys Andrés Guillermand Noble, PO Box 9949, San Juan, Puerto Rico 00908; Angel R. Del Corral, 130 Eleonor Roosevelt, San Juan,

Puerto Rico 00918-3105; Igor Domínguez, El Monte Mall Suite 22, Avenida Muñoz Rivera 652, Hato Rey, Puerto Rico 00918; Pedro Toledo González, Julio Bogaricín Building, Suite L-06, Lobby, 1606 Ponce de León Avenue, Santurce, Puerto Rico 00909; Roberto Ruiz Comas, Andalucía 406 (Altos), Puerto Nuevo, San Juan, Puerto Rico 00920; Marta Elisa González, PO Box 195055, San Juan, Puerto Rico 00919-5055; Pedro J. Córdova, PO Box 9023998, San Juan, Puerto Rico 00902-3998; Alexis Mattei, PO Box 9023933, San Juan, Puerto Rico 00902-3933; Doris Quiñones Tridas, 113 Padre Las Casas, Suite 601, Urb. El Vedado, San Juan, Puerto Rico 00918-3116; Jeannette López de Victoria, P.O. Box 9024098, San Juan, Puerto Rico 00902-4098; and Gilda del C. Cruz Martinó, P.O. Box 9023875, San Juan, Puerto Rico 00902-3875.

Ponce, Puerto Rico, this 19th day of January, 2005.

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By:

s/José Héctor Vivas

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